

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL HICKS,
Plaintiff,

v.

A. LUCAS, et al.,
Defendants.

No. 1:20-cv-01721-DAD-JLT (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
MOTION TO PROCEED *IN FORMA*
PAUPERIS

(Doc. Nos. 5, 8)

Plaintiff Michael Hicks is a state prisoner proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 27, 2021, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion to proceed *in forma pauperis* (Doc. No. 5) be denied because plaintiff has sufficient funds to pay the filing fee in full. (Doc. No. 8.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days from the date of service. (*Id.* at 2.) No objections have been filed, and the deadline to do so has expired.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the

magistrate judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly,

1. The findings and recommendations issued on January 27, 2021 (Doc. No. 8) are adopted in full;
2. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 5) is denied;
3. Within thirty days of the date of service of this order, Plaintiff shall pay the \$402 filing fee in full;
4. Failure to pay the filing fee within the time provided will result in dismissal of this action; and
5. The matter is referred back to the magistrate judge for further proceedings consistent with this order.

IT IS SO ORDERED.

Dated: March 9, 2021


UNITED STATES DISTRICT JUDGE